

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the ____ day of ____, 2006:

Present

Vote

Walter C. Zaremba, Chairman
Kenneth L. Bowman, Vice Chairman
Sheila S. Noll
James S. Burgett
Thomas G. Shepperd, Jr.

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO RECORD A DECLARATION OF RESTRICTIONS LIMITING THE FUTURE USE OF PROPERTY CONTAINED WITHIN A PORTION OF CHARLES BROWN PARK, 1950 OLD WILLIAMSBURG ROAD, AS IS INCLUDED WITHIN A WETLANDS MITIGATION PROJECT CONSTRUCTED BY THE COUNTY WITHIN THE PARK BOUNDARIES

WHEREAS, the Board of Supervisors previously authorized the creation of a wetlands demonstration area within the southern portion of Charles Brown Park as a means acceptable to the U. S. Army Corps of Engineers of wetlands mitigation for the purpose of mitigating the loss of wetlands caused by the construction of the Tabb Library; and

WHEREAS, the U. S. Army Corps of Engineers requires, as a condition of the wetlands mitigation project, that a declaration of restrictions be recorded against the property contained within the project, generally prohibiting the use of the property for purposes which are inconsistent with the continued existence of the newly created wetlands; and

WHEREAS, following a duly advertised public hearing, this Board has determined that it is in the public interest that such declaration of restrictions be recorded.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this ____ day of ____, 2006, that the County Administrator is authorized on behalf of the County to record a declaration of restrictions against a portion of property

contained within Charles Brown Park, located at 1950 Old Williamsburg Road, creating a conservation easement as is shown on a certain plat entitled "Easement Plat Showing Conservation Easement on the Property of County of York, Virginia, Nelson District, York County, Virginia," made by LandMark Design Group, dated September 22, 2005, in accordance with the requirements of the wetlands mitigation program previously authorized by this Board and approved by the U. S. Army Corps of Engineers, any such declaration of restrictions or deed of easement to be approved as to form by the County Attorney.